



U.S. Department of Justice
Executive Office for Immigration Review
Office of the Director
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NOTICE

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Notice Regarding Freedom of Information Act (FOIA) Requests

Under the Department of Justice (DOJ) regulations, a **proper** FOIA request must be in writing, either handwritten or typed. The request must describe the records being sought and include identifying information such as full name as well as the alien registration number (if known).

A number of FOIA requesters submit Department of Homeland Security (DHS) Form G-639, Freedom of Information/Privacy Act Request, to the DOJ/Executive Office for Immigration Review FOIA Service Center. This creates confusion because it is unclear whether the requester is seeking DHS records or, alternatively, DOJ records. To avoid unnecessary referrals we ask requesters not to use the DHS Form G-639 and recommend that requesters submit a letter with the necessary authorization instead.

When a person is requesting information about himself/herself, the request must be accompanied by a notarized statement or a statement signed under penalty of perjury. This requirement may be fulfilled by completing and signing Form DOJ-361, having the signature on the request witnessed by a notary, or by including the following statement immediately above the signature on the request: "I declare under penalty of perjury that the foregoing is true and correct. Executed on [date]."

When seeking information about another individual or on behalf of another individual, a notarized statement must be provided by that person authorizing consent to release the information. Without the subject's written consent, the information is subject to limited disclosure pursuant to FOIA exemptions.

When seeking information about a deceased individual, proof of death must be submitted. Proof of death may be a death certificate, newspaper obituary, or some other form of comparable proof.

If the necessary information is not provided, such as the alien registration number, it may not be possible to process the request. For more information see www.usdoj.gov/eoir/efoia/foiafact.htm. If you have any further questions, please contact the FOIA Service Center at (703) 605-1297.

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